



DEPARTMENT OF THE NAVY
SPACE AND NAVAL WARFARE SYSTEMS COMMAND
4301 PACIFIC HIGHWAY
SAN DIEGO, CA 92110-3127

JAN 19 1999

MEMORANDUM FOR THE DEPUTY HEAD, SUPPLY AND CONTRACTS DEPARTMENT,
SPAWAR SYSTEMS CENTER SAN DIEGO

Subj: DELEGATION OF AUTHORITY FOR CONTRACTING MATTERS

Ref: (a) SPAWAR 00 memo of 1 Apr 96

Encl: (1) Reserved Authority

1. Reference (a) is a delegation of contracting authority from the Commander, Space and Naval Warfare Systems Command, the Head of Contracting Activity (HCA), to the Director and Executive Director for Contracts. The delegation includes authority to redelegate, consistent with law and regulation and subject to limitations set forth in reference (a).
2. In order to empower your activity to make acquisition decisions within its areas of responsibility, and to maximize its ability to be responsive and adaptive to customer needs, it is necessary to ensure an appropriately broad delegation of contracting authority. Accordingly I redelegate to you, as Chief of the Contracting Office, authority to act in all matters relating to contracting, subject to the limitations of reference (a) and the following additional exceptions: (i) matters which by law or regulation require the approval of a flag officer or member of the senior executive service, or field activity commander; and (ii) limitations set forth in Enclosure (1) hereto.
3. You are authorized to redelegate this authority, except where law or regulation prohibit delegation below the level of Chief of the Contracting Office.


Sarah K. Lamade
Executive Director for Contracts

LIMITATIONS ON DELEGATION OF AUTHORITY FOR CONTRACTING MATTERS TO SYSTEMS CENTER CHARLESTON AND SYSTEMS CENTER SAN DIEGO

1. SPAWAR 02 has not been delegated (and therefore cannot redelegate) the following authority:
 - a. Approval of acquisition plans pursuant to NAPS 5207.103(h).
 - b. Approval of determinations and findings pursuant to FAR 17.503(c) for interagency acquisitions.
 - c. Approval of determinations and findings pursuant to FAR 37.204 that personnel with required capabilities to evaluate or analyze proposals are not available within the Federal Government and may therefore be obtained by contract.
 - d. Signing of reports concerning potential debarment of contractors pursuant to NAPS 5209.406-3.
 - e. Authorization of partial small business set-asides notwithstanding expectation that only one small business will submit an offer, pursuant to FAR 19.502-3(a)(5).
 - f. Deciding of initial appeals of contracting officer rejections of SBA PCR recommendations, pursuant to FAR 19.505.
 - g. Approval of extraordinary contractual actions of \$50,000 or less pursuant to FAR 50.201.
 - h. Certification that a contract for RDT&E for the Ballistic Missile Defense Program cannot be performed by a U.S. firm pursuant to DFARS 225.7011-2.
 - i. Waive restriction on acquiring ball and roller bearings not made in the U. S. or Canada pursuant to DFARS 225.7019-3(a).
2. SPAWAR 02 reserves authority to approve business clearances above the thresholds set forth in COMSPAWAR memo Ser 02-41/094 of 30 Jun 1997 and revisions/successors thereto.
3. In some instances, current law or regulation prohibits HCA's from delegating their authority. Attachment I hereto, provided for your information, is a list of specific authority which cannot at present be delegated below the HCA.

Enclosure (1)

Non-delegable HCA Authority

Grant exceptions to policy not to award contracts to Government employees or organizations owned by them (FAR 3.602).

Waive organizational conflict of interest rules and procedures pursuant to FAR 9.503.

Determine that a single process initiative process is not acceptable for a specific procurement pursuant to DFARS 211.273-3(c).

Waive requirement for submittal of cost and pricing data pursuant to FAR 15.403-1(c)(iii)(4).

Authorize obtaining cost and pricing data for pricing actions below the applicable threshold pursuant to FAR 15.403-4(a)(1)(iii)(2).

Permit correction or withdrawal of bids pursuant to FAR 14.407-3.

Approve determination that it is not practicable to include "Certification of Toxic Chemical Release Reporting" in a solicitation pursuant to FAR 23.906.

Make nonavailability determinations of domestic end products for acquisitions exceeding \$250K pursuant to DFARS 225.102(b)(ii).

Make award or authorize contract performance in face of a GAO protest pursuant to FAR 33.104(b) and (c).

Approve non-Government use of industrial plant equipment exceeding 25% pursuant to DFARS 245.407(a)(iii).

Attachment (1) to Enclosure (1)